

**PRINTER RUSH**  
(PTO ASSISTANCE)

11

Application : 10/070396

Examiner : Dudgett

GAU : 1762

From: T. McGill

Location: IDC FMF FDC

Date: 4-27-05

Tracking #: epm10/070396

Week Date: 4-4-05

DOC CODE	DOC DATE	MISCELLANEOUS
<input type="checkbox"/> 1449		<input type="checkbox"/> Continuing Data
<input type="checkbox"/> IDS		<input type="checkbox"/> Foreign Priority
<input type="checkbox"/> CLM		<input type="checkbox"/> Document Legibility
<input type="checkbox"/> IIFW		<input type="checkbox"/> Fees
<input type="checkbox"/> SRFW		<input type="checkbox"/> Other
<input type="checkbox"/> DRW		
<input checked="" type="checkbox"/> OATH	<u>7-3-02</u>	
<input type="checkbox"/> 312		
<input type="checkbox"/> SPEC		

[RUSH] MESSAGE: First inventor is missing his  
signature from the Oath/Declaration.

Thank you

[XRUSH] RESPONSE: see attached sheets

INITIALS: TM

NOTE: This form will be included as part of the official USPTO record, with the Response document coded as XRUSH.  
REV 10/04

1/11  
Ena11

Rec'd PCT/PTO

3 JUL 2002

# 4

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: KENT STATE UNIVERSITY

For : FABRICATION OF ALIGNED LIQUID CRYSTAL CELL/FILM BY SIMULTANEOUS  
ALIGNMENT AND PHASE SEPARATION

International Application Number: PCT/US00/24025

International Filing Date: September 01, 2000

**STATEMENT OF FACTS IN SUPPORT OF FILING ON BEHALF OF  
NONSIGNING INVENTOR (37 C.F.R. § 1.47)**

This statement is made as to the exact facts that are relied upon to establish the diligent effort made to secure the execution of the declaration by the non-signing inventor for the above-identified patent application.

This statement is being made by the available person having first-hand knowledge of the facts recited therein.

**IDENTIFICATION OF PERSON MAKING THIS STATEMENT OF FACTS**

William R. Fuller  
Technology Transfer Manager  
Kent State University  
191 Gym Annex  
P.O. Box 5190  
Kent, Ohio 44242-0001

**DETAILS OF REFUSAL OF NONSIGNING INVENTOR TO SIGN APPLICATION  
PAPERS**

Dr. Satyendra Kumar has repeatedly refused to sign the Declaration for the above-

**BEST AVAILABLE COPY**



30 SEP 2003

Ray L. Weber  
Renner, Kenner, Grieve, Bobak, Taylor & Weber  
First National Tower, Fourth Floor  
Akron, OH 44308-1456

In re Application of:	:	
Kumar et al.	:	
Application No.: 10/070,396	:	DECISION
PCT No.: PCT/US00/24025	:	
Int. Filing Date: 01 September 2000	:	UNDER
Priority Date: 03 September 1999	:	
Att. Docket No.: KSU.P0201	:	37 CFR 1.47
For: Fabrication of Aligned Crystal Cell/Film By	:	
Simultaneous Alignment And Phase Separation	:	

This is in response to the "Renewed Petition Under 37 CFR 1.47" filed on 29 April 2003.

### **BACKGROUND**

In a decision mailed on 25 February 2003, the petition filed on 03 July 2002 was dismissed because it was not clear that non-signing joint inventor Satyendra Kumar has refused to execute a declaration after being presented with the declaration and a copy of the international application and because it did not include an explicit statement of non-signing joint inventor Satyendra Kumar's last known address.

### **DISCUSSION**

The renewed petition includes a statement of Satyendra Kumar's last known address, and is accompanied by a copy of a letter sent to Satyendra Kumar at that address, requesting that he review an attached copy of the international application and sign and return a declaration of the inventors. Petitioner also provides a copy of a postal Domestic Return Receipt which is signed as received by Satyendra Kumar on 13 March 2003. In view of the totality of evidence now of record, it would be appropriate to conclude that Satyendra Kumar has refused to execute the declaration after being presented with the declaration and a copy of the international application. Accordingly, all of the requirements of 37 CFR 1.47(a) have now been satisfied.

**CONCLUSION**

The petition is **GRANTED**.

As provided by 37 CFR 1.47(a), a notice of the filing of this application will be forwarded to the non-signing inventor at his last known address of record.

A notice of the filing of this application under 37 CFR 1.47(a) will be published in the Official Gazette.

This application is being returned to the National Stage Processing Branch for further processing. Its date under 35 U.S.C. 371(c)(1), (2) and (4) is **03 July 2002**.



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PCT Legal Office



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